



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

Howrey Simon Arnold & White, LLP
Box No. 34
1299 Pennsylvania Ave, N.W.
Washington DC 20004-2402

In re Application of
John McCafferty et al
Serial No.: 09/417,479
Filed: October 13, 2999
Attorney Docket No.: 28111/32729C

PETITION DECISION

This is a response to the petition under 37 CFR 1.59(b), filed October 21, 2002, to expunge information from the above identified application. The application has now been abandoned and the petition may be reconsidered.

Petitioner requests that a documents submitted as a Proprietary Information Disclosure Statement under a court Protective Order be expunged from the record. Petitioner states either: (A) that the information contains trade secret material, proprietary material and/or material that is subject to a protective order which has not been made public; or (B) that the information submitted was unintentionally submitted and the failure to obtain its return would cause irreparable harm to the party who submitted the information or to the party in interest on whose behalf the information was submitted, and the information has not otherwise been made public. The petition fee set forth in 37 CFR 1.17(h) has been paid.

As the application has been abandoned the decision on the petition to expunge can now be granted.

The petition is **GRANTED**. The confidential material is returned herewith.

Should there be any questions with respect to this decision, please contact William R. Dixon, Jr., by mail addressed to: Director, Technology Center 1600, Washington, D.C. 20231, or by telephone at (703)308-3824 or by facsimile transmission at (703) 308-7230

William R. Dixon, Jr.
Special Program Examiner
Technology Center 1600